

REMARKS

Claims 1-18 are pending. By this Amendment, the specification, and claims 1, 2, 5-11 and 16 are amended and new claims 17 and 18 are added. Reconsideration and allowance in view of the above amendments and following arguments are respectfully requested.

The specification was objected to. The specification is amended at page 1 to obviate the objection.

The drawings were objected to. Claims 1 and 16 are amended to address the objection to the drawings. Reconsideration and withdrawal of the objection to the drawings are respectfully requested.

Claims 1-3 and 10-16 were rejected under 35 U.S.C. § 112, 2nd paragraph. Claims 1, 2 and 16 have been amended to obviate the rejection. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 3 and 12-15 were rejected under 35 U.S.C. § 102(b) over von Danwitz (U.S. Patent 4,843,807); and claims 2, 10 and 11 were rejected under 35 U.S.C. §103(a) over von Danwitz in view of St. Germain (U.S. Patent 5,651,572). The rejections are respectfully traversed.

Applicant's claim 1 recites a sling for attaching or carrying loads comprising a hollow tube like fabric comprising two ends. One end is formed narrower and the other end is formed broader relative to the rest of the hollow tube like fabric, which is found between the ends. The two ends form a connection site wherein the narrower end is inserted into the broader end. The sling further comprises at least one seam, which connects both ends of the hollow tube like fabric at the connection site. The

claim features encompass Applicant's embodiment illustrated in Fig. 2 wherein sling 20 includes ends 6 and 5 and seam 8.

The von Danwitz patent does not disclose or suggest a sling comprising a hollow tube like fabric having two ends, one end of which is inserted into the other end at a connection site, as recited in Applicant's claim 1. The von Danwitz patent discloses that the protective tube 5 is formed from two length sections 3 and 4. One end of length section 3 is inserted into an end of length section 4 at a first overlap 9, and the other end of length section 3 receives another end of length section 4 at a second overlap 9. The protective tube 5 of von Danwitz is not a hollow tube like tubular fabric having two ends, one of which is inserted into the other, as recited in claim 1.

The von Danwitz patent discloses dividing the total length of the protective tube into two preferably equal length sections and inserting the skein of yarn. See column 2, lines 49-53. The von Danwitz patent discloses that this division into two length sections has the advantage that the tube fabric need no longer be pushed together longitudinally, in the region of the two length sections, to a minimum of about 40%, but now only to about 80% to 90% of its initial length to be able to insert the skein of yarn by machine in the conventional manner. Thus, the von Danwitz patent is not intended to have the end of length section 3 receive the end of length section 4 without the skein of yarn inserted. Thus, claim 1 distinguishes over the von Danwitz patent

The St. Germain patent fails to overcome the deficiencies of the von Danwitz patent. In the St. Germain patent the protective cover 5 includes loops of strands of fiber optic and load bearing material which extend therethrough. The fiber optic

strand is used as a testing means to test the integrity of the sling. Thus, the St. Germain patent does not disclose a hollow tube like fabric having two ends, one of which is inserted into the other.

Applicant's claims 2, 3 and 10-15 recite additional features and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

Reconsideration and withdrawal of the rejections are respectfully requested.

Applicant's claims 4-9 recite additional features and are allowable for at least the same reasons discussed above with respect to claim 1, and for the additional features recited therein. Reconsideration and withdrawal of the election of species requirement, and rejoinder and allowance, of claims 4-9 upon allowance of generic claim 1 are respectfully requested.

In view of the above amendments and remarks, it is respectfully submitted that all of the claims are allowable and the entire application is in condition for allowance.

Should the Examiner believe that anything further is necessary to place the application in condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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